

3-4-2  
**NON-PROVISIONAL  
UTILITY PATENT APPLICATION  
TRANSMITTAL - 37 CFR 1.53(b)**

**[ ] Duplicate**  
(check, if applicable)

02/28/02  
jc658 U.S. PTO  
Assistant Commissioner for Patents  
**BOX PATENT APPLICATION**  
Washington, DC 20231

**Attorney Docket No. 014985-6U1**  
**First Named Inventor: Éric Dupont *et al.***  
**Express Mail Label No. EL665722750US**  
**Total Pages of Transmittal Form: 2**

10/087041  
J1000 U.S. PTO  
02/28/02

Transmitted herewith for filing is the non-provisional utility patent application entitled:

**ANTI-TUMOR THERAPIES COMPRISING A COMBINATION OF A CARTILAGE  
EXTRACT AND AN ANTI-NEOPLASTIC AGENT PROVIDING HIGH EFFICACY AND  
LOW TOXIC SIDE EFFECTS**

which is:

an ☐ Original; or

a ☐ Continuation, ☒ Divisional, or ☐ Continuation-in-part (CIP)

of prior Application No. 09/393,037 filed September 9, 1999, which itself is a continuation of International Application No. PCT/CA98/00202, filed March 11, 1998, and published in the English language on September 17, 1998.  
Anticipated Class 424, Subclass 548.

☐ This non-provisional patent application is based on Provisional Patent Application No. \_\_\_\_, filed \_\_\_\_.

Enclosed are:

- ☒ Specification (including Abstract) and claims: 15 pages.
- ☒ Application Data Sheet.
- ☐ Newly executed/unexecuted Declaration (original/copy).
- ☒ Copy of Declaration from prior application.
- ☐ Separate Power of Attorney (including 37 CFR 3.73(b) statement, if applicable).
- ☒ 3 sheets of drawings (formal).
- ☐ Transmittal Letter Accompanying Submission of Compact Disc in Accordance with 37 C.F.R. §1.52(e), plus two identical compact discs (for computer program Appendix)
- ☐ Nucleotide and/or Amino Acid Sequence Submission, including:
  - ☐ Computer readable copy ☐ Paper Copy ☐ Verified Statement.
- ☐ Under PTO-1595 Cover Sheet, an assignment of the invention
- ☐ Name of Assignee: Aeterna Laboratories
- ☒ Certified copy of Canadian Application No. 2,199,694 filed March 11, 1997 is filed: ☐ herewith or ☒ in prior application 09/393,037.
- ☐ Applicant(s), by its/their undersigned attorney, claim(s) Small Entity Status under 37 C.F.R. §1.27 as ☐ an Independent Inventor, or ☐ a Small Business Concern, or ☐ a Non-Profit Organization.
- ☒ Preliminary Amendment.

- ☒ Information Disclosure Statement, PTO/SB/08A & 08B, and cited references.  
☐ Request for Nonpublication of Application Under 35 U.S.C. §122(b)  
☐ Other:

The filing fee is calculated as follows:

			SMALL ENTITY			LARGE ENTITY	
CLAIMS	NO. FILED	NO. EXTRA	BASIC FEE:			BASIC FEE:	
			\$370			\$740	
Total	18 - 20 =	0	X9	\$	OR	X18	\$
Independent	4 - 3 =	1	X42	\$	OR	X84	\$ 84.00
<input type="checkbox"/> Multiple Dependent Claims Present			\$140	\$	OR	\$280	\$
			<b>TOTAL</b>	<b>\$</b>	<b>OR</b>	<b>TOTAL</b>	<b>\$ 824.00</b>

- ☐ The Commissioner is not authorized to charge the filing fee at this time as we elect to defer payment of the entire filing fee until receipt of a Notice to File Missing Parts.
- ☒ A check in the amount of \$ 824 .00 to cover the filing fee is enclosed.
- ☒ The Commissioner is hereby authorized to charge and/or credit **Deposit Account No. 50-1017 (Billing No. 014985.0006)** as noted below. A duplicate copy of this sheet is enclosed.
- ☒ Any overpayments or deficiencies in the above-calculated fee.
- ☐ Filing fee in the amount of \$ \_\_\_\_\_ as calculated above.
- ☒ Any additional fees required under 37 C.F.R. § 1.16 and § 1.17.
- ☒ In the event that a Petition for Extension of Time is required during the prosecution of this application, but not submitted, please charge any extension fee under 37 C.F.R. § 1.136(a) to our Deposit Account noted above.

**CORRESPONDENCE ADDRESS:**

28 February 2002  
 (Date)

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